

REMARKS

Claims 1-4, 8-12, 16-20, and 24-27 were rejected under 35 U.S.C. 102(b) as being anticipated by Dutcher (US 4,381,013). Applicant traversed the rejection and pointed out that Dutcher discloses a two-piece stylet having an inner portion (30) which imparts the desired shape to a lead and a second outer portion (40) that is used to transmit torque from the proximal end to the distal end. The stiffening wire 30 has a bend (at point 32 in Fig. 6) to form a J-shape. The distal tip 34 of wire 30 is foreshortened and a separate torque transmission tool 44 is attached at position 42 to the distal end of coil 40. Applicant further pointed out that the curved intermediate portion of the stylet in Dutcher, where the wire 30 imparts the J-shape (identified as segment 32, is of a uniform diameter. Accordingly, absent from Dutcher is a curved intermediate segment with a taper zone extending within that curved intermediate segment.

The final office action, relying upon Fig. 6, directed attention to the diameter of a cross section within the curved segment, which was marked by the examiner as B or D'. Comment was made that the identified diameter is larger than diameter A, which was identified to be at the straight distal end of the portion 30. Thus, the contention was made that there is a tapered zone in Dutcher that extends within the curved intermediate segment of the stylet 30. Applicant disagreed then and disagrees now with that contention.

First, it must be recognized and consideration given to the fact that claims 1 and 17 each specifies three segments: (1) a substantially straight distal segment extending from the distal end, (2) a curved intermediate segment extending from the substantially straight distal segment, and (3) a substantially straight proximal segment extending from the curved intermediate segment toward the proximal end. The claim further specifies that a taper zone *extends within the curved intermediate segment*. That means that the curved intermediate segment has a non-uniform diameter. Applicant has pointed out that the curved portion 32 of Dutcher is of a uniform diameter and that where the examiner pointed to a tapered zone was in the straight distal segment of the stylet. The change in diameter which is alleged to be a "taper" at point A is within the straight distal

segment of stylet 30. Thus, absent from Dutcher is a tapered zone that extends within the curved intermediate segment 32 of stylet 30 as required by claim 1.

Applicant again reiterates that the anticipation rejection of the independent claims, as well as the claims dependent thereon, is in error and should be withdrawn.

Additionally, Dutcher necessarily further fails to render obvious the claimed subject matter. Based upon the foregoing remarks with regard to the anticipation rejections, Dutcher cannot provide the base reference to combine with Hartley to result in a viable obviousness rejection. The combination of Dutcher and Hartley fails to result in a structure having all the features set forth in the independent claims. It follows, of course, that the rejections of the dependent claims, which also rely upon Dutcher, are similarly in error.

Applicant respectfully submits that the claims are in proper form and condition for allowance, and requests that a notice of allowance be issued in due course.

Respectfully submitted,

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Date

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